REMARKS

Claims 1-3 and 6-24 were presented for examination. Claims 1-3 and 6-24 were rejected. Claims 1-3, 7-8, 14-16 and 18-19 were objected. In the aforementioned amendment, claims 1-3, 7-9, 13-17, 19-20 and 24 have been amended, and claims 25-30 have been added. No new matter has been introduced. Upon entry of the present amendment, claims 1-3 and 6-30 will be presently pending in this application, of which claims 1, 9, 14 and 20 are independent claims. Applicant submits that claims 1-3 and 6-30 are in condition for allowance.

The following comments address all stated grounds of rejection. Applicant respectfully urges the Examiner to pass the claims to allowance in view of the remarks set forth below.

Claim Objections

Claims 1-3 and 4-16 were objected to because of informalities with the phrase "one or more parameters is." Claims 1-3 and 4-16 are hereby amended to address these informalities. Applicant submits claims 1-3 and 4-16 are in condition for allowance.

Claims 7 and 18 were objected to because of informalities with the phrase "one or more components is." Claims 7 and 18 are hereby amended to address these informalities. Applicant submits claims 7 and 18 are in condition for allowance.

Claims 8 and 19 are objected to under 37 CFR 1.75(c) being of improper dependent form for failing to further limit the subject matter of a previous claim. Claims 8 and 19 are hereby amended addressing this objection. Applicant submits claims 8 and 19 are in condition for allowance.

Drawings Objection

The Examiner objected to the drawings under 37 CFR 1.83(a) for the failure to show in the drawings the feature of interfacing with another management platform as recited in claims 13 and 24. Claims 13 and 24 are hereby amended to clarify the scope of this feature. Applicant respectfully directs the Examiner's attention to Figures 4, 5, 17, 33 and 34 showing the feature recited in amended claims 13 and 24. Therefore, Applicant respectfully submits that the drawings show every feature of the invention specified in the claims.

Claim Amendments

Claims 1-3, 7-9, 13-17, 19-20 and 24 have been amended to clarify the scope of the claimed invention. Support for the amended claims can be found on page 29, lines 1-11; page 65, lines 10-20; and throughout the remainder of the specification.

Dependent claims 25-30 have been added to more fully appreciate the scope of the claimed invention. Support for the added dependent claims can be found on page 29, lines 1-28; Figs. 9, 37 and 38; and throughout the remainder of the specification.

No new matter has been introduced. Applicant submits that the presently pending claims are in condition for allowance.

Claim Rejections Under 35 USC §112

I. Claims 13 and 24 Rejected Under 35 U.S.C §112, First Paragraph

Claims 13 and 24 are rejected under 35 U.S.C §112, first paragraph, as containing subject matter not described in the specification in such a way as to enable one skilled in the art to make

and use the invention. Applicant respectfully traverses this rejection and submits that claims 13 and 24, as amended, enable one skilled in the art to make and use the invention.

Specifically, claims 13 and 24 recite the limitation of "interfacing with another management platform." The Examiner indicates this limitation is not specifically found in the specification. Applicant disagrees with the Examiner's assertion that "interfacing with another management platform" is not fully supported in the specification. Nevertheless, Applicant amends claims 13 and 24 to clarify this limitation to recite "interfacing with a management platform" to further clarify the scope of the claimed invention. For support of this amended limitation, Applicant respectfully directs the Examiner's attention to page 29, lines 1-29 of the specification and to Figure 5 of the drawings.

In light of the aforementioned amendment, claims 13 and 24 enable one skilled in the art to make and use the invention. Therefore, Applicant respectfully requests the Examiner to reconsider and withdraw the rejection of claims 13 and 24 under 35 U.S.C. §112, first paragraph.

II. Claims 8 and 19 Rejected Under 35 U.S.C §112, Second Paragraph

Claims 8 and 19 are rejected under 35 U.S.C §112, second paragraph, as not particularly pointing out and distinctly claiming the subject matter, which the Applicant regards as his invention. Applicant respectfully traverses this rejection and submits that claims 8 and 19, as amended, particularly points out and distinctly claims the invention.

Specifically, the Examiner in the Office Action indicates that claims 8 and 19 recite the limitation "the steps of determining interfaces", which has insufficient antecedent basis for this limitation. Applicant hereby amends claims 8 and 19 to address this insufficient antecedent basis and to clarify the scope of Applicant's claimed invention.

In light of the aforementioned amendments, claims 8 and 19 particularly point out and distinctly claim the subject matter to which the Applicant regards as his invention. Therefore, Applicant respectfully requests the Examiner to reconsider and withdraw the rejection of claims 8 and 19 under 35 U.S.C. §112, second paragraph.

Claim Rejections Under 35 USC §102

III. Claims 1-9, 11-20 and 22-24 Stand Rejected Under 35 U.S.C §102(e) As Being Anticipated By Hunter

Claims 1-9, 11-20 and 22-24 stand rejected under 35 U.S.C §102(e) as being anticipated by Hunter (U.S. Patent No. 6,449,603) ("Hunter"). Applicant respectfully traverses this rejection and submits that Hunter fails to disclose each and every limitation recited in claims 1-9, 11-20 and 22-24.

A. Independent Claims 1 and 14 Patentably Distinguished over Hunter

Independent claims 1 and 14, as amended, are directed towards a method and medium, respectively. These independent claims recite a method to determine how a selected component parameter has an effect on a state of a service parameter to provide *service level management of a business process in association with a service level management domain.* That is, the service parameter represents a state of a service supporting a business process under service level management. One or more network components support the service supporting the business process associated with a service level management domain including a layered hierarchical network management environment. A component parameter represents an operational characteristic of the network component, which can have an effect on the state of the service. In order to provide service level management of the business process from a state of the service

parameter, the method determines how the component parameter has an effect on the state of the service parameter.

Hunter does <u>not</u> disclose a method for determining how a selected component parameter has an effect on a state of a service parameter to provide *service level management of a business process in association with a service level management domain*. Hunter describes a method for improving the performance of learning agents to produce a more accurate prediction method from the training of such agents. Hunter requires at least two learning agents so that one learning agent can teach the other learning agent. The learning agents are trained with a training data set as input to produce a prediction method of the data as output from the training process. By pairing learning agents in the training process, Hunter increases the accuracy of the prediction method associated with the training data set.

Nowhere does Hunter discuss *service level management of a business process in association with a service level management domain*. Service level management is concerned with understanding the relationship between a business process and a service and the operational efficiency of network components in support of the service supporting the business process. Furthermore, in the claimed invention, the *service level management* is associated with a service level management domain of a layered and hierarchical network management environment. In contrast to the *service level management* features of the claimed invention, Hunter is solely and more narrowly focused on discussing the improvement of the training method of learning agents using paired learning agents. Although the system of Hunter can be implemented using a computer system, Hunter does <u>not</u> disclose any domain comprising a layered hierarchical network management environment as in the claimed invention. Furthermore, the claimed invention does not require the pairing of agents, as does Hunter. Therefore, Hunter does not

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disclose determining how a selected component parameter has an effect on a state of a service parameter to provide *service level management of a business process in association with a service level management domain.*

For at least the aforementioned reasons, Hunter <u>fails</u> to disclose a method for determining how a selected component parameter has an effect on a state of a service parameter to provide *service level management of a business process in association with a service level management domain.* Therefore, Applicant submits that amended claims 1 and 14 are patentable and in condition for allowance. Accordingly, Applicant requests the Examiner to withdraw the rejection of claims 1 and 14 under 35 U.S.C §102.

B. Independent Claims 9 and 20 Patentably Distinguished over Hunter

Independent claims 9 and 20, as amended, are directed towards a method and medium, respectively. These independent claims recite a method to determine a level of a service, from a service parameter, to manage the service to provide *service level management of a business process in association with a service level management domain.* That is, a service supports a business process under service level management. One or more network entities support the service in supporting the business process associated with a service level management domain including a layered hierarchical network management environment. A component parameter associated with one or more network entities is designated a service parameter to represent a state of the service. The service parameter is used to determine a level of service, which is an index into the performance of the service. By determining the level of the service, the service can be managed to provide service level management of the business process the service supports.

Hunter does not disclose a method for determining a level of a service, from a service parameter, to manage the service to provide *service level management of a business process in association with a service level management domain.* As discussed above, Hunter describes and is focused on a method of pairing learning agents to improve the training of learning agents to produce a more accurate prediction method. Nowhere does Hunter discuss the *service level management of a business process in association with a service level management domain.*

Furthermore, the *service level management* features of the claimed invention are associated with a service level management domain of a layered hierarchical network management environment. The network entities associated with the domain support the service in support of the business process. As such, the function of the service arises from and encompasses one or more network entities across a layered hierarchical network management environment. In contrast to the *service level management* features of the claimed invention, Hunter does not discuss any layered hierarchical network management environment. Furthermore, Hunter does not discuss the paired learning agents provide support to a service and the function of the service arising from and encompassing one or more network entities across a layered hierarchical network management environment.

For at least the aforementioned reasons, Hunter fails to disclose a method for determining a level of a service, from a service parameter, to manage the service to provide *service level management of a business process in association with a service level management domain.* Therefore, Applicant submits that amended claims 9 and 20 are patentable and in condition for allowance. Accordingly, Applicant requests the Examiner to withdraw the rejection of claims 9 and 20 under 35 U.S.C §102.

C. Claims Dependent from Patentable Independent Claims 1, 9, 14 and 20

Claims 2-8, 11-13, 15-19 and 22-24 are dependent on amended independent claims 1, 9,

14 and 20 respectively. These independent claims are patentably distinguished over Hunter for

the above-discussed reasons. Claims 2-8 are dependent on independent claim 1, as amended,

and, thus, incorporate all the patentable limitations of amended claim 1. Claims 11-13 are

dependent on independent claim 9, as amended, and, thus, incorporate all the patentable

limitations of amended claim 9. Claims 15-19 are dependent on independent claim 14, as

amended, and, thus, incorporate all the patentable limitations of amended claim 14. Claims 21-

24 are dependent on independent claim 20, as amended, and, thus, incorporate all the patentable

limitations of amended claim 20. As such, Hunter does not anticipate claims 2-8, 11-13, 15-19

and 22-24. Therefore, Applicant requests the Examiner to withdraw the rejection of claims 2-8,

11-13, 15-19 and 22-24 under 35 U.S.C §102.

Claim Rejections Under 35 USC §103

IV. Claims 10 and 21 Rejected Under 35 U.S.C §103 As Being Unpatentable over Hunter in
view of Adriaans

Claims 10 and 21 are rejected under 35 U.S.C §103 as being unpatentable over Hunter in

view of Adriaans et al. (U.S. Patent No. 6,331,175) ("Adriaans"). Applicant respectfully

traverses this rejection and contends that Hunter in view of Adriaans fails to detract from the

patentability of claims 10 and 21.

A. Non-obviousness of Claims Dependent from Patentable Independent Claims 9 and 20

Hunter in view of Adriaans fails to teach or suggest each and every claim limitation of dependent claims 10 and 21. Claim 10 is dependent from independent claim 9, as amended, and, thus, incorporates all the patentable limitations of amended claim 9. Claim 21 is dependent from independent claim 20, as amended, and, thus, incorporates all the patentable limitations of amended claim 20. Hunter does not anticipate claims 9 and 20 for the reasons discussed in connection with the claim rejections under 35 U.S.C. §102. As such, claims 10 and 21 are also not anticipated by Hunter.

In addition to the patentable limitations of amended independent claims 14 and 20, respectively, the further recitation in dependent claims 10 and 21 of a step of storing the plurality of component parameters in a storage device provides a separate further basis for patentability. In the rejection of these dependent claims in the Office action, Adriaans is used only to suggest one ordinarily skilled in the art might modify Hunter to store the parameters to a database. Adriaans does not teach or suggest determining how a selected component parameter has an effect on a state of a service parameter to provide *service level management* of a business *process in association with a service level management domain*. As such, Adriaans fails to bridge the factual deficiencies of the Hunter reference.

Therefore, Applicant submits that Hunter in view of Adriaans does not detract from the patentability of claims 10 and 21. Accordingly, Applicant respectfully requests the Examiner to withdraw the rejection of claims 10 and 21 under 35 U.S.C. §103.

NEW CLAIMS 25-30

V. New Dependent Claims 25-30

Dependent claims 25-30 have been added to more fully appreciate the Applicant's claimed invention. Claims 25-26 are dependent from and incorporate all the patentable subject matter of independent claim 1, as amended. The further recitation of a plurality of management applications integrated into a hierarchical structure having a plurality of layers in claim 25 and the network component comprising one or more of a transmission device, a transmission media, a computer system and an application in claim 26 provides a separate further basis for patentability. Hence, each cited reference fails to disclose, teach or suggest each and every element of claims 25 and 26.
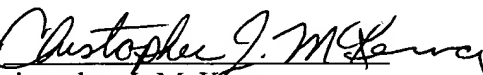
Claims 27-28 are dependent from and incorporate all the patentable subject matter of independent claim 9, as amended. Claims 29 is dependent from and incorporates all the patentable subject matter of independent claim 14, as amended. Claim 30 is dependent from and incorporates all the patentable subject matter of independent claim 20, as amended. Independent claims 1 and 14, as amended, are directed to determining how a component parameter has an effect on a state of a service to provide *service level management of a business process in association with a service level management domain*. Independent claims 9 and 20, as amended are directed to determining a level of a service, from a service parameter, to manage the service to provide *service level management of a business process in association with a service level management domain*. None of the cited references, including Hunter and Adriaans, in combination or alone, disclose, teach or suggest providing *service level management of a business process in association with a service level management domain*. Therefore, Applicant submits that claims 25-30 are in condition for allowance.

CONCLUSION

In view of the remarks set forth above, Applicant contends that the claims presently

pending in this application are patentable and in condition for allowance. Applicant respectfully

urges the Examiner to pass the claims to allowance.

                                                    Respectfully submitted,
                                                    LAHIVE & COCKFIELD, LLP

Dated: June 25, 2004   By _____
                                                    Christopher J. McKenna
                                                    Registration No.: 53,302
                                                    Attorney/Agent For Applicant

                                                    Lahive & Cockfield, LLP
                                                    28 State Street
                                                    Boston, Massachusetts 02109
                                                    (617) 227-7400
                                                    (617) 742-4214 (Fax)